

STATE OF MICHIGAN  
INVITATION TO BID

FORM DMB  
285 (Rev 7/94)  
PAGE : 1

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RETURN BID TO :  
DMB - ACQUISITION SERVICES  
P O BOX 30152  
LANSING , MI, 48909 .

SEALED BID  
DUE : 03/01/05 04:00 PM

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DATE ISSUED: 02/08/05 | BID NUMBER: 071I5200140

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CONTACT: IRENE PENA  
517 241-1647 EXT:

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REQUESTING DEPARTMENT/AGENCY:  
DMB-OOP-TECHNICAL ACQUISITION DIV

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VENDOR ID : /

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VENDOR PHONE :

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THE UNDERSIGNED CERTIFIES THAT HE/SHE OFFERS  
TO FURNISH MATERIALS AND/OR SERVICE IN STRICT  
ACCORDANCE WITH THE REQUIREMENTS OF THE BID  
INCLUDING INSTRUCTIONS AND CONDITIONS; THAT  
PRICES QUOTED ARE CORRECT; AND THIS BID MAY  
NOT BE WITHDRAWN FOR A PERIOD OF 90 DAYS  
FROM THE DUE DATE NOTED ABOVE.

CASH DISC \_\_\_\_\_ 30 DAYS

SHIPMENT \_\_\_\_\_ DAYS ARO

F.O.B. \_\_\_\_\_

SHIP PT. \_\_\_\_\_

EST. SHIP WT. \_\_\_\_\_

TOTAL BID \$ \_\_\_\_\_

X \_\_\_\_\_  
SIGNATURE [IN INK] DATE

\_\_\_\_\_  
NAME [PRINT OR TYPE]

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ITEM COMMODITY ID QTY U/M UNIT COST AMOUNT  
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001 956-85 1.00 EA \_\_\_\_\_

TRAINING MATERIAL SUBSCRIPTIONS

CONTRACT TO PURCHASE DRUG AND ALCOHOL SUPERVISORY TRAINING MATERIAL.

ADDITIONAL REQUIREMENTS :

SEALED BID SUBMISSION - RESPONSES TO ITB'S MUST BE RECEIVED AND TIME-  
STAMPED IN ACQUISITION SERVICES ON OR BEFORE THE DATE SPECIFIED  
ON THE COVER PAGE OF THIS REQUEST IN ORDER FOR THE BID TO BE  
CONSIDERED FOR AWARD. PROPERLY COMPLETE AND SIGN THE COVERSHEET OF  
THE INVITATION TO BID (ITB) (FORM DMB-285) SENT AS PART OF THIS PACKET  
OF INFORMATION. RETURN THAT SIGNED FORM WITH YOUR BID ACCORDING TO  
THE INSTRUCTIONS BELOW. BIDDERS ARE RESPONSIBLE FOR TIMELY RECEIPT  
OF THEIR QUOTATION IN ACQUISITION SERVICES. FOLLOWING THE

STATE OF MICHIGAN  
INVITATION TO BID

FORM DMB  
285 (Rev 7/94)  
PAGE : 2

VENDOR NAME :

BID NUMBER :  
071I5200140

INSTRUCTIONS BELOW WILL INSURE THAT THE INTEGRITY OF THE SEALED BID PROCESS IS PROTECTED:

1. EACH ENVELOPE/CONTAINER SUBMITTED MUST CONTAIN THE RESPONSE TO ONLY ONE ITB. DO NOT SUBMIT RESPONSES TO MORE THAN ONE ITB IN ONE ENVELOPE/CONTAINER. ALSO, FAXED BIDS WILL NOT BE ACCEPTED UNLESS SPECIFICALLY REQUESTED BY ACQUISITION SERVICES.
2. TO INSURE CORRECT AND TIMELY PROCESSING OF THE BID, THE ADDRESS INDICATED UNDER "RETURN BID TO" SHOULD BE USED ON THE ENVELOPE CONTAINING THE BID, OR ON AN INTERIOR ENVELOPE/CONTAINER IF USING A COURIER SERVICE.
3. THE ITB NUMBER (I.E., BID NUMBER) SHOULD BE ENTERED ON THE THE ENVELOPE ITSELF. IT IS IMPERATIVE THAT BIDDERS RECORD THE ITB NUMBER ON THE OUTSIDE OF THE SUBMITTAL ENVELOPE TO INSURE THE INTEGRITY OF THE SEALED BID PROCESS. FAILURE TO COMPLY WITH THIS INSTRUCTION MAY RESULT IN AUTOMATIC DISQUALIFICATION OF YOUR BID. THE DATE DUE AND THE VENDOR ID NUMBER IS OPTIONAL INFORMATION.
4. THE BID, IN THE PROPERLY LABELED ENVELOPE, MUST BE RECEIVED IN ACQUISITION SERVICES NOT LATER THAN 3:00 PM ON THE DUE DATE INDICATED ON THE FACE OF THE ITB, UNLESS OTHERWISE SPECIFIED ELSEWHERE IN THE ITB.
5. THE BID MAY BE SUBMITTED AS DESCRIBED IN A, B, OR C BELOW:
  - A. THE BID MAY BE DELIVERED TO ACQUISITION SERVICES, 2ND FLOOR, STEVENS T. MASON BUILDING.
  - B. BY U.S. MAIL TO: STATE OF MICHIGAN  
DEPARTMENT OF MANAGEMENT AND BUDGET  
ACQUISITION SERVICES  
P.O. BOX 30152  
LANSING, MICHIGAN 48909
  - C. BY COURIER TO: STATE OF MICHIGAN  
DEPARTMENT OF MANAGEMENT AND BUDGET  
ACQUISITION SERVICES  
530 WEST ALLEGAN STREET  
MASON BUILDING, 2ND FLOOR  
LANSING, MICHIGAN 48933

ISSUING OFFICE - THIS ITB IS ISSUED BY ACQUISITION SERVICES, STATE OF MICHIGAN, DEPARTMENT OF MANAGEMENT AND BUDGET (DMB), HEREAFTER KNOWN AS ACQUISITION SERVICES FOR THE STATE OF MICHIGAN. WHERE ACTIONS ARE A COMBINATION OF THOSE OF ACQUISITION SERVICES AND THE REQUESTING AGENCY, THE AUTHORITY WILL BE KNOWN AS THE STATE.

ACQUISITION SERVICES IS THE SOLE POINT OF CONTACT IN THE STATE WITH REGARD TO ALL PROCUREMENT AND CONTRACTUAL MATTERS RELATING TO THE SERVICES DESCRIBED HEREIN. ACQUISITION SERVICES IS THE ONLY OFFICE AUTHORIZED TO CHANGE, MODIFY, AMEND, ALTER, CLARIFY, ETC., THE SPECIFICATIONS, TERMS, AND CONDITIONS OF THIS INVITATION TO BID AND

STATE OF MICHIGAN  
INVITATION TO BID

FORM DMB  
285 (Rev 7/94)  
PAGE : 3

VENDOR NAME :

BID NUMBER :  
071I5200140

ANY BLANKET PURCHASE ORDER(S) AWARDED AS A RESULT OF THIS ITB. ACQUISITION SERVICES WILL REMAIN THE SOLE POINT OF CONTACT THROUGHOUT THE PROCUREMENT PROCESS, UNTIL SUCH TIME AS THE DIRECTOR OF PURCHASING SHALL DIRECT OTHERWISE IN WRITING. ALL COMMUNICATIONS CONCERNING THIS PROCUREMENT MUST BE ADDRESSED TO THE BUYER INDICATED ON THE FACE OF THIS ITB.

ORAL PRESENTATION - BIDDERS WHO SUBMIT PROPOSALS MAY BE REQUIRED TO MAKE ORAL PRESENTATIONS OF THEIR PROPOSALS TO THE STATE. THESE PRESENTATIONS PROVIDE AN OPPORTUNITY FOR THE BIDDERS TO CLARIFY THE PROPOSALS THROUGH MUTUAL UNDERSTANDING. ACQUISITION SERVICES, DMB, WILL SCHEDULE THESE PRESENTATIONS, IF REQUIRED.

ECONOMY OF PREPARATION - EACH PROPOSAL SHOULD BE PREPARED SIMPLY AND ECONOMICALLY, PROVIDING A STRAIGHTFORWARD, CONCISE DESCRIPTION OF THE BIDDER'S ABILITY TO MEET THE REQUIREMENTS OF THE RFP. FANCY BINDINGS, COLORED DISPLAYS, PROMOTIONAL MATERIAL, ETC. WILL RECEIVE NO EVALUATION CREDIT. EMPHASIS SHOULD BE ON COMPLETENESS & CLARITY OF CONTENT.

INDEPENDENT PRICE DETERMINATION - (1) BY SUBMISSION OF A PROPOSAL, THE BIDDER CERTIFIES, AND IN THE CASE OF A JOINT PROPOSAL, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATION, THAT IN CONNECTION WITH THIS PROPOSAL:

- A. THE PRICES IN THE PROPOSAL HAVE BEEN ARRIVED AT INDEPENDENTLY, WITHOUT CONSULTATION, COMMUNICATION, OR AGREEMENT, FOR THE PURPOSE OF RESTRICTING COMPETITION AS TO ANY MATTER RELATING TO SUCH PRICES WITH ANY OTHER BIDDER OR WITH ANY COMPETITOR; AND
- B. UNLESS OTHERWISE REQUIRED BY LAW, THE PRICES WHICH HAVE BEEN QUOTED IN THE PROPOSAL HAVE NOT BEEN KNOWINGLY DISCLOSED BY THE BIDDER AND WILL NOT KNOWINGLY BE DISCLOSED BY THE BIDDER PRIOR TO AWARD DIRECTLY OR INDIRECTLY TO ANY OTHER BIDDER OR TO ANY COMPETITOR; AND
- C. NO ATTEMPT HAS BEEN MADE OR WILL BE MADE BY THE BIDDER TO INDUCE ANY OTHER PERSON OR FIRM TO SUBMIT OR NOT SUBMIT A PROPOSAL FOR THE PURPOSE OF RESTRICTING COMPETITION.

(2) EACH PERSON SIGNING THE PROPOSAL CERTIFIES THAT SHE/HE:

- A. IS THE PERSON IN THE BIDDER'S ORGANIZATION RESPONSIBLE WITHIN THAT ORGANIZATION FOR THE DECISION AS TO THE PRICES OFFERED IN THE PROPOSAL AND HAS NOT PARTICIPATED (AND WILL NOT PARTICIPATE) IN ANY ACTION CONTRARY TO (1) A., B., AND C. ABOVE; OR
- B. IS NOT THE PERSON IN THE BIDDER'S ORGANIZATION RESPONSIBLE WITHIN THAT ORGANIZATION FOR THE DECISION AS TO THE PRICES BEING OFFERED IN THE PROPOSAL BUT HAS BEEN AUTHORIZED, IN WRITING, TO ACT AS AGENT FOR THE PERSONS RESPONSIBLE FOR SUCH DECISION IN CERTIFYING THAT SUCH PERSONS HAVE NOT PARTICIPATED (AND WILL NOT PARTICIPATE) IN ANY ACTION CONTRARY TO (1) A., B., AND C. ABOVE.

(3) A PROPOSAL WILL NOT BE CONSIDERED FOR AWARD IF THE SENSE OF THE

STATE OF MICHIGAN  
INVITATION TO BID

FORM DMB  
285 (Rev 7/94)  
PAGE : 4

VENDOR NAME :

BID NUMBER :  
071I5200140

STATEMENT REQUIRED IN THE COST AND PRICE ANALYSIS PORTION OF THE PROPOSAL HAS BEEN ALTERED SO AS TO DELETE OR MODIFY (1) A., C., OR (2) ABOVE. IF (1) B. HAS BEEN MODIFIED OR DELETED, THE PROPOSAL WILL NOT BE CONSIDERED FOR AWARD UNLESS THE BIDDER FURNISHES WITH THE PROPOSAL A SIGNED STATEMENT WHICH SETS FORTH IN DETAIL THE CIRCUMSTANCES OF THE DISCLOSURE AND THE ISSUING OFFICE DETERMINES THAT SUCH DISCLOSURE WAS NOT MADE FOR THE PURPOSE OF RESTRICTING COMPETITION.

PLEASE VISIT THE ACQUISITION SERVICES WEBSITE AT:  
[WWW.MICHIGAN.GOV/DOINGBUSINESS](http://WWW.MICHIGAN.GOV/DOINGBUSINESS). THIS SITE INCLUDES LINKS TO ACTIVE INVITATIONS TO BIDS, A LISTING OF CURRENT STATE CONTRACTS, GENERAL INFORMATION INTENDED TO ASSIST BUSINESSES IN GAINING AN UNDERSTANDING OF THE STATE'S PROCUREMENT PROCESSES AND OTHER PURCHASING PROGRAMS AND SERVICES. THIS INFORMATION IS ALSO AVAILABLE BY CALLING:  
(517) 335-0230.

REGISTER AS A VENDOR ONLINE AT: [WWW.CPEXPRESS.STATE.MI.US](http://WWW.CPEXPRESS.STATE.MI.US)

EFFECTIVE JUNE 1, 2003, MOST INVITATIONS TO BID FROM ACQUISITION SERVICES WILL ONLY BE AVAILABLE ONLINE. IN CERTAIN SITUATIONS, BIDS WILL CONTINUE TO BE SENT THROUGH U.S. MAIL, HOWEVER, THOSE SITUATIONS WILL BE ON A VERY LIMITED BASIS.

VISIT [WWW.MICHIGAN.GOV/DOINGBUSINESS](http://WWW.MICHIGAN.GOV/DOINGBUSINESS) TO VIEW INVITATIONS TO BID ON THE INTERNET AND ANY SUBSEQUENT UPDATES. CLICK ON "BIDS & PROPOSALS" ON THE LEFT HAND SIDE OF THE SCREEN, THEN CLICK ON "COMMODITIES & SERVICES".

FOR THOSE BUSINESSES WITHOUT INTERNET ACCESS, PUBLIC COMPUTERS ARE TYPICALLY AVAILABLE AT PUBLIC LIBRARIES AND COMMERCIAL PRINT/COPY CENTERS. ASSISTANCE IS ALSO PROVIDED THROUGH THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION'S PTAC'S (PROCUREMENT TECHNICAL ASSISTANCE CENTERS). FOR FURTHER PTAC INFORMATION, CALL (517) 373-9808 OR VISIT [WWW.MEDC.MICHIGAN.ORG](http://WWW.MEDC.MICHIGAN.ORG).

WHEN ACCESSING BIDS ONLINE, MAKE SURE TO ACCESS THE ENTIRE DOCUMENT (THE ITB DOCUMENT AND ALL CORRESPONDING ATTACHMENTS, WHICH ARE LISTED SEPARATELY).

PROCUREMENT POLICY - PROCUREMENT FOR THE STATE OF MICHIGAN SHALL BE HANDLED IN A MANNER PROVIDING FAIR OPPORTUNITY TO ALL BUSINESSES, INCLUDING WOMAN OWNED, MINORITY OWNED AND HANDICAPPER OWNED BUSINESSES. THIS SHALL BE ACCOMPLISHED WITHOUT REDUCTION OR SACRIFICE OF QUALITY AND AS DETERMINED TO BE IN THE BEST INTEREST OF THE STATE. THE STATE PURCHASING DIRECTOR HAS THE VESTED AUTHORITY TO MAKE THE FINAL DECISION ON THE AWARD OF A PURCHASE ORDER OR BLANKET PURCHASE ORDER.

PRICES AND NOTATIONS - PRICES AND NOTATIONS MUST BE TYPED OR IN INK. PRICES SHALL BE FOR NEW ITEMS ONLY UNLESS SPECIFIED OTHERWISE IN THE INVITATION TO BID (ITB). ANY FORM OF PRICING CORRECTIONS MADE TO THE QUOTATION BY THE BIDDER PRIOR TO SUBMISSION SHOULD BE INITIALED IN INK BY THE PERSON SIGNING THE QUOTATION. IN THE EVENT OF UNINITIALED

STATE OF MICHIGAN  
INVITATION TO BID

FORM DMB  
285 (Rev 7/94)  
PAGE : 5

-----  
VENDOR NAME :

BID NUMBER :  
071I5200140  
-----

PRICING CORRECTIONS, THE BUYER, WITH MANAGEMENT APPROVAL, MAY REQUIRE AN AFFIDAVIT FROM THE BIDDER CONFIRMING THE PRICE CORRECTION WAS MADE PRIOR TO THE BID SUBMISSION.

UNIT PRICES - UNIT PRICES SHOULD BE STATED BASED ON UNITS SPECIFIED. THE BIDDER MAY QUOTE ON ALL OR A PORTION OF A QUANTITY AS SPECIFIED. QUOTE ON EACH ITEM SEPARATELY AND INDICATE BRAND NAME OR MAKE. EXTEND AND TOTAL THE BID. IN CASE OF DISCREPANCIES BETWEEN UNIT PRICE AND EXTENDED PRICE THE UNIT PRICE WILL BE THE BASIS FOR AWARD.

DELIVERY TIME - DELIVERY TIME IS A PART OF THE CONSIDERATION FOR THE AWARD AND MUST BE STATED IN DEFINITE TERMS AND ADHERED TO. IF TIME VARIES ON DIFFERENT ITEMS, THE BIDDER SHALL SO STATE.

QUOTATIONS - A QUOTATION MUST BE SIGNED BY AN AUTHORIZED OFFICER OR EMPLOYEE OF THE COMPANY APPEARING ON THE ITB. THE SIGNATURE REPRESENTS A BINDING COMMITMENT UPON THE COMPANY TO PROVIDE SUCH GOODS AND/OR SERVICES OFFERED TO THE STATE SHOULD IT BE DETERMINED THE LOWEST RESPONSIVE BIDDER.

SAMPLES - SAMPLES OF ITEMS, WHEN REQUIRED, MUST BE FURNISHED FREE OF EXPENSE AND IF NOT DESTROYED BY TESTS WILL BE RETURNED AT BIDDER'S EXPENSE. SAMPLES MUST BE RECEIVED ON OR BEFORE BID OPENING IF SO REQUESTED ON THE BID.

DELIVERY TERMS - UNLESS OTHERWISE STATES, BIDS MAY BE QUOTED EITHER F.O.B. DELIVERED OR F.O.B. SHIPPING POINT. F.O.B. DELIVERED MEANS DELIVERED TO THE DOCK OF THE "SHIP TO" ADDRESS NOTED ON THE ITB, AND INCLUDES ALL CHARGES FOR TRANSPORTATION OR ANY OTHER SERVICE. IF BIDDERS ELECT TO QUOTE F.O.B. SHIPPING POINT, POINT OF SHIPMENT AND SHIPPING WEIGHT MUST BE INCLUDED. AWARDS WILL BE BASED ON THE LOWEST COST INCLUDING TRANSPORTATION CHARGES, AS DETERMINED BY THE STATE.

CASH DISCOUNTS - THE STATE WILL NOT CONSIDER CASH DISCOUNTS FOR PROMPT PAYMENT IN DETERMINING THE LOWEST RESPONSIVE BIDDER.

NO BID RESPONSES - BIDDERS WHO CANNOT QUOTE SHOULD RETURN THE ITB COVER PAGE STATING THE REASON FOR NOT BIDDING. FAILURE TO DO SO MAY RESULT IN REMOVAL OF THE BIDDER'S NAME FROM ALL BIDDER LISTS.

ALTERNATE BIDS - BIDDERS MAY OFFER ALTERNATE BIDS WHICH ARE AT VARIANCE FROM THE EXPRESS SPECIFICATIONS OF THE QUOTATION, AND THE STATE RESERVES THE RIGHT TO CONSIDER AND ACCEPT SUCH BIDS IF, IN THE JUDGMENT OF THE ACQUISITION SERVICES DIRECTOR, THE ALTERNATE BID WILL PRODUCE GOODS AND/OR SERVICES EQUAL TO OR BETTER THAN THOSE WHICH WOULD BE SUPPLIED BY FOLLOWING THE EXPRESS SPECIFICATIONS OF THE QUOTATION, AND ACCEPTANCE OF THE ALTERNATE BID IS DEEMED TO SERVE THE BEST INTERESTS OF THE STATE OF MICHIGAN. AN ALTERNATE BID MUST CLEARLY DESCRIBE ALL VARIANCES FROM THE EXPRESS SPECIFICATIONS.

RECEIPT OF BIDS - IT IS THE BIDDER'S RESPONSIBILITY TO ENSURE BIDS BE RECEIVED PRIOR TO THE DATE, TIME, AND AT THE ADDRESS SPECIFIED ON THE FACE OF THE ITB. THIS RESPONSIBILITY RESTS ENTIRELY WITH THE BIDDER, NOTWITHSTANDING DELAYS RESULTING FROM POSTAL

STATE OF MICHIGAN  
INVITATION TO BID

FORM DMB  
285 (Rev 7/94)  
PAGE : 6

VENDOR NAME :

BID NUMBER :  
071I5200140

HANDLING OR FOR ANY OTHER REASONS. LATE BIDS WILL NOT BE ACCEPTED OR CONSIDERED EXCEPT UNDER THE FOLLOWING CIRCUMSTANCES: A) BIDS RECEIVED ON TIME DO NOT MEET SPECIFICATIONS, OR B) NO OTHER BIDS ARE RECEIVED.

SPECIFICATIONS - SPECIFICATIONS WHICH REFER TO BRAND NAMES ARE GIVEN FOR REFERENCE ONLY. BIDDERS MAY QUOTE ON EQUIVALENT GOODS, PROVIDED COMPLETE DESCRIPTIVE LITERATURE IS FURNISHED ALONG WITH BRAND NAME AND CATALOG NUMBER. ANY DEVIATIONS FROM THE SOLICITATION MUST BE NOTED ON THE BID. WHEN EQUIVALENT GOODS WILL NOT BE ACCEPTED, THE QUOTATION WILL STATE "DO NOT SUBSTITUTE".

AWARD - THE STATE RESERVES THE RIGHT TO AWARD BY ITEM, GROUP OF ITEMS, OR TOTAL BID. THE STATE FURTHER RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS IF IT IS DETERMINED BY THE STATE PURCHASING DIRECTOR THAT THE BEST INTEREST OF THE STATE WILL BE SERVED BY DOING SO. IN DETERMINING AN AWARD, QUALIFICATIONS OF THE BIDDER, CONFORMITY WITH SPECIFICATION OF GOODS AND/OR SERVICES, COST, AND DELIVERY TERMS WILL BE CONSIDERED.

MINORITY/WOMEN/HANDICAPPER SUBCONTRACTING - TO HELP INSURE PARTICIPATION IN STATE PURCHASE ORDERS/BLANKET PURCHASE ORDERS BY MINORITY, WOMEN AND HANDICAPPER OWNED AND OPERATED BUSINESSES, THE STATE OF MICHIGAN STRONGLY ENCOURAGES COMPANIES, WHEN RESPONDING TO INVITATIONS TO BID, TO SUBCONTRACT WITH CERTIFIED MINORITY, WOMAN AND HANDICAPPER OWNED AND OPERATED BUSINESSES. FOR ASSISTANCE IN LOCATING POTENTIAL SUBCONTRACTORS, CONTACT: MICHIGAN DEPARTMENT OF CIVIL RIGHTS  
CONTRACTUAL SERVICES DIVISION  
STATE OF MICHIGAN PLAZA BUILDING - 5TH FLOOR  
1200 SIXTH AVENUE  
DETROIT, MICHIGAN 48226  
1-313-256-2650

BIDDERS SHOULD INDICATE IN THEIR RESPONSE THE NAMES, ADDRESSES, AND TYPE OF WORK ASSIGNED FOR EACH PROPOSED MINORITY/WOMEN/HANDICAPPER OWNED AND OPERATED FIRM WHICH WILL BE A SUBCONTRACTOR. THE TOTAL AMOUNT AND/OR PERCENTAGE OF DOLLARS TO BE PAID TO EACH SUB-CONTRACTOR(S) SHOULD BE INCLUDED WITH THE PRICE SUBMISSION.

ACCOMMODATION/ACCESS - IF ANY BIDDER NEEDS AN ACCOMMODATION OR ACCESS TO SUBMIT A BID, THEY SHOULD CONTACT THE BUYER INDICATED ON THE FACE OF THE ITB FOR ASSISTANCE.

TAXES - THE STATE OF MICHIGAN IS EXEMPT FROM FEDERAL EXCISE TAX, STATE AND LOCAL SALES TAX, AND USE TAX, AND SUCH TAXES SHALL NOT BE INCLUDED IN THE BID PRICE. SALES TO THE STATE OF MICHIGAN ARE NOT EXEMPT FROM THE ENVIRONMENTAL PROTECTION REGULATORY FEE IMPOSED PURSUANT TO SECTION 8 OF ACT 152 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1989.

CANCELLATION OF CONTRACT - (A) THE STATE MAY CANCEL THE CONTRACT FOR DEFAULT OF THE CONTRACTOR. DEFAULT IS DEFINED AS THE FAILURE OF THE CONTRACTOR TO FULFILL THE OBLIGATIONS OF THE QUOTATION OR CONTRACT. IN CASE OF DEFAULT BY THE CONTRACTOR, THE STATE MAY IMMEDIATELY AND/OR UPON 30 DAYS PRIOR WRITTEN NOTICE TO THE CONTRACTOR CANCEL THE CONTRACT WITHOUT FURTHER LIABILITY TO THE STATE, ITS DEPARTMENTS,

STATE OF MICHIGAN  
INVITATION TO BID

FORM DMB  
285 (Rev 7/94)  
PAGE : 7

VENDOR NAME :

BID NUMBER :  
071I5200140

DIVISIONS, AGENCIES, SECTIONS, COMMISSIONS, OFFICERS, AGENTS AND EMPLOYEES, AND PROCURE THE SERVICES FROM OTHER SOURCES, AND HOLD THE CONTRACTOR RESPONSIBLE FOR ANY EXCESS COSTS OCCASIONED THEREBY.

(B) THE STATE MAY CANCEL THE CONTRACT IN THE EVENT THE STATE NO LONGER NEEDS THE SERVICES OR PRODUCTS SPECIFIED IN THE CONTRACT, OR IN THE EVENT PROGRAM CHANGES, CHANGES IN LAWS, RULES OR REGULATIONS, RELOCATION OF OFFICES OCCUR, OR THE STATE DETERMINES THAT STATEWIDE IMPLEMENTATION OF THE CONTRACT IS NOT FEASIBLE, OR IF PRICES FOR ADDITIONAL SERVICES REQUESTED BY THE STATE ARE NOT ACCEPTABLE TO THE STATE. THE STATE MAY CANCEL THE CONTRACT WITHOUT FURTHER LIABILITY TO THE STATE, ITS DEPARTMENTS, DIVISIONS, AGENCIES, SECTIONS, COMMISSIONS, OFFICERS, AGENTS AND EMPLOYEES BY GIVING THE CONTRACTOR WRITTEN NOTICE OF SUCH CANCELLATION 30 DAYS PRIOR TO THE DATE OF CANCELLATION.

(C) THE STATE MAY CANCEL THE CONTRACT FOR LACK OF FUNDING. THE CONTRACTOR ACKNOWLEDGES THAT, IF THIS CONTRACT EXTENDS FOR SEVERAL FISCAL YEARS, CONTINUATION OF THIS CONTRACT IS SUBJECT TO APPROPRIATION OF FUNDS FOR THIS PROJECT. IF FUNDS TO ENABLE THE STATE TO EFFECT CONTINUED PAYMENT UNDER THIS CONTRACT ARE NOT APPROPRIATED OR OTHERWISE MADE AVAILABLE, THE STATE SHALL HAVE THE RIGHT TO TERMINATE THIS CONTRACT WITHOUT PENALTY AT THE END OF THE LAST PERIOD FOR WHICH FUNDS HAVE BEEN APPROPRIATED OR OTHERWISE MADE AVAILABLE BY GIVING WRITTEN NOTICE OF TERMINATION TO THE CONTRACTOR. THE STATE SHALL GIVE THE CONTRACTOR WRITTEN NOTICE OF SUCH NON-APPROPRIATION WITHIN 30 DAYS AFTER IT RECEIVES NOTICE OF SUCH NON-APPROPRIATION.

(D) THE STATE MAY IMMEDIATELY CANCEL THE CONTRACT WITHOUT FURTHER LIABILITY TO THE STATE ITS DEPARTMENTS, DIVISIONS, AGENCIES, SECTIONS, COMMISSIONS, OFFICERS, AGENTS AND EMPLOYEES IF THE CONTRACTOR, AN OFFICER OF THE CONTRACTOR, OR AN OWNER OF A 25% OR GREATER SHARE OF THE CONTRACTOR, IS CONVICTED OF A CRIMINAL OFFENSE INCIDENT TO THE APPLICATION FOR OR PERFORMANCE OF A STATE, PUBLIC OR PRIVATE CONTRACT OR SUBCONTRACT; OR CONVICTED OF A CRIMINAL OFFENSE INCLUDING BUT NOT LIMITED TO ANY OF THE FOLLOWING: EMBEZZLEMENT, THEFT, FORGERY, BRIBERY, FALSIFICATION OR DESTRUCTION OF RECORDS, RECEIVING STOLEN PROPERTY, ATTEMPTING TO INFLUENCE A PUBLIC EMPLOYEE TO BREACH THE ETHICAL CONDUCT STANDARDS FOR STATE OF MICHIGAN EMPLOYEES; CONVICTED UNDER STATE OR FEDERAL ANTITRUST STATUTES; OR CONVICTED OF ANY OTHER CRIMINAL OFFENSE WHICH IN THE SOLE DISCRETION OF THE STATE, REFLECTS ON THE CONTRACTOR'S BUSINESS INTEGRITY.

(E) THE STATE MAY IMMEDIATELY CANCEL THE CONTRACT IN WHOLE OR IN PART BY GIVING NOTICE OF TERMINATION TO THE CONTRACTOR IF ANY FINAL ADMINISTRATIVE OR JUDICIAL DECISION OR ADJUDICATION DISAPPROVES A PREVIOUSLY APPROVED REQUEST FOR PURCHASE OF PERSONAL SERVICES PURSUANT TO CONSTITUTION 1963, ARTICLE 11, SECTION 5, AND CIVIL SERVICE RULE 4-6.

(F) THE STATE MAY, WITH 30 DAYS WRITTEN NOTICE TO THE CONTRACTOR, CANCEL THE CONTRACT IN THE EVENT PRICES PROPOSED FOR CONTRACT MODIFICATION/EXTENSION ARE UNACCEPTABLE TO THE STATE. SEE SECTIONS I-P, PRICE PROPOSAL, AND I-S, MODIFICATION OF SERVICE.

STATE OF MICHIGAN  
INVITATION TO BID

FORM DMB  
285 (Rev 7/94)  
PAGE : 8

VENDOR NAME :

BID NUMBER :  
071I5200140

INSPECTION - ALL GOODS ARE SUBJECT TO INSPECTION AND TESTING. IN THE EVENT GOODS ARE DEFECTIVE IN MATERIAL OR WORKMANSHIP, OR OTHERWISE FAIL TO MEET THE REQUIREMENTS OF THE QUOTATION, THE STATE SHALL HAVE THE RIGHT TO REJECT THE GOODS OR RETAIN THE GOODS AND CORRECT THE DEFECTS. THE CONTRACTOR SHALL PAY THE STATE FOR EXPENSES INCURRED IN CORRECTING DEFECTS. REJECTED GOODS WILL BE HELD FOR 45 DAYS AFTER DELIVERY. THE CONTRACTOR MUST ARRANGE FOR THE RETURN OF SAID GOODS, INCLUDING PAYING FOR HANDLING, PACKING, AND TRANSPORTATION COSTS. THE STATE HAS THE AUTHORITY TO DISPOSE OF THE GOODS WITHOUT FURTHER LIABILITY TO THE STATE IN THE EVENT THE CONTRACTOR FAILS TO MAKE SUCH ARRANGEMENTS WITHIN THE SPECIFIED TIME.

NON-DISCRIMINATION CLAUSE - IN THE PERFORMANCE OF ANY CONTRACT OR PURCHASE ORDER RESULTING HEREFROM, THE BIDDER AGREES NOT TO DISCRIMINATE AGAINST ANY EMPLOYEE OR APPLICANT FOR EMPLOYMENT, WITH RESPECT TO THEIR HIRE, TENURE, TERMS, CONDITIONS OR PRIVILEGES OF EMPLOYMENT, OR ANY MATTER DIRECTLY OR INDIRECTLY RELATED TO EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, ANCESTRY, AGE, SEX, HEIGHT, WEIGHT, MARITAL STATUS, PHYSICAL OR MENTAL DISABILITY UNRELATED TO THE INDIVIDUAL'S ABILITY TO PERFORM THE DUTIES OF THE PARTICULAR JOB OR POSITION. THE BIDDER FURTHER AGREES THAT EVERY SUBCONTRACT ENTERED INTO FOR THE PERFORMANCE OF ANY CONTRACT (OR PURCHASE ORDER) RESULTING HEREFROM WILL CONTAIN A PROVISION REQUIRING NON-DISCRIMINATION IN EMPLOYMENT, AS HEREIN SPECIFIED, BINDING UPON EACH SUBCONTRACTOR. THIS COVENANT IS REQUIRED PURSUANT TO THE ELLIOTT LARSEN CIVIL RIGHTS ACT, 1976 PA 453, AS AMENDED, MCL 37.2101, ET SEQ, AND THE PERSONS WITH DISABILITIES CIVIL RIGHTS ACT, 1976 PA 220, AS AMENDED, MCL 37.1101, ET SEQ, AND ANY BREACH THEREOF MAY BE REGARDED AS A MATERIAL BREACH OF THE CONTRACT OR PURCHASE ORDER.

STATE LAWS - ALL CONTRACTS OR PURCHASE ORDERS ISSUED AS A RESULT OF THIS SOLICITATION ARE SUBJECT TO, SHALL BE GOVERNED BY, AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF MICHIGAN. ANY DISPUTE ARISING HEREIN SHALL BE RESOLVED IN THE STATE OF MICHIGAN.

ASSIGNMENT OF ANTITRUST CAUSE OF ACTION - FOR AND IN CONSIDERATION OF THE OPPORTUNITY TO SUBMIT A QUOTATION AND OTHER GOOD AND VALUABLE CONSIDERATION, THE BIDDER HEREBY ASSIGNS, SELLS AND TRANSFERS TO THE STATE OF MICHIGAN ALL RIGHTS, TITLE AND INTEREST IN AND TO ALL CAUSES OF ACTION IT MAY HAVE UNDER THE ANTITRUST LAWS OF THE UNITED STATES OR THIS STATE FOR PRICE FIXING, WHICH CAUSES OF ACTION HAVE ACCURED PRIOR TO THE DATE OF PAYMENT AND WHICH RELATE SOLELY TO THE PARTICULAR

GOODS, COMMODITIES, OR SERVICES PURCHASED OR PROCURED BY THIS STATE PURSUANT TO THIS TRANSACTION.

UNFAIR LABOR PRACTICES - PURSUANT TO 1980 PUBLIC ACT 278, AS AMENDED, MCL 423.231, ET SEQ, THE STATE SHALL NOT AWARD A CONTRACT OR SUBCONTRACT TO AN EMPLOYER WHOSE NAME APPEARS IN THE CURRENT REGISTER OF EMPLOYERS FAILING TO CORRECT AN UNFAIR LABOR PRACTICE COMPILED PURSUANT TO SECTION 2 OF THE ACT. A CONTRACTOR OF THE STATE, IN RELATION TO THE CONTRACT, SHALL NOT ENTER INTO A CONTRACT WITH A SUBCONTRACTOR, MANUFACTURER, OR SUPPLIER WHOSE NAME APPEARS IN THIS



STATE OF MICHIGAN  
INVITATION TO BID

FORM DMB  
285 (Rev 7/94)  
PAGE : 9

VENDOR NAME :

BID NUMBER :  
071I5200140

REGISTER. PURSUANT TO SECTION 4 OF 1980 PUBLIC ACT 278, MCL 423.324, THE STATE MAY VOID ANY CONTRACT IF, SUBSEQUENT TO AWARD OF THE CONTRACT, THE NAME OF THE CONTRACTOR AS AN EMPLOYER, OR THE NAME OF THE SUBCONTRACTOR, MANUFACTURER OR SUPPLIER OF THE CONTRACTOR APPEARS IN THE REGISTER.

SEALED BID SUBMISSION - RESPONSES TO ITB'S MUST BE RECEIVED AND TIME-STAMPED IN ACQUISITION SERVICES ON OR BEFORE THE DATE SPECIFIED ON THE COVER PAGE OF THIS REQUEST IN ORDER FOR THE BID TO BE CONSIDERED FOR AWARD. PROPERLY COMPLETE AND SIGN THE COVERSHEET OF THE INVITATION TO BID (ITB) (FORM DMB-285) SENT AS PART OF THIS PACKET OF INFORMATION. RETURN THAT SIGNED FORM WITH YOUR BID ACCORDING TO THE INSTRUCTIONS BELOW. BIDDERS ARE RESPONSIBLE FOR TIMELY RECEIPT OF THEIR QUOTATION IN ACQUISITION SERVICES. FOLLOWING THE INSTRUCTIONS BELOW WILL INSURE THAT THE INTEGRITY OF THE SEALED BID PROCESS IS PROTECTED:

1. EACH ENVELOPE/CONTAINER SUBMITTED MUST CONTAIN THE RESPONSE TO ONLY ONE ITB. DO NOT SUBMIT RESPONSES TO MORE THAN ONE ITB IN ONE ENVELOPE/CONTAINER. ALSO, FAXED BIDS WILL NOT BE ACCEPTED UNLESS SPECIFICALLY REQUESTED BY ACQUISITION SERVICES.
2. TO INSURE CORRECT AND TIMELY PROCESSING OF THE BID, THE ADDRESS INDICATED UNDER "RETURN BID TO" SHOULD BE USED ON THE ENVELOPE CONTAINING THE BID, OR ON AN INTERIOR ENVELOPE/CONTAINER IF USING A COURIER SERVICE.
3. THE ITB NUMBER (I.E., BID NUMBER) SHOULD BE ENTERED ON THE ENVELOPE ITSELF. IT IS IMPERATIVE THAT BIDDERS RECORD THE ITB NUMBER ON THE OUTSIDE OF THE SUBMITTAL ENVELOPE TO INSURE THE INTEGRITY OF THE SEALED BID PROCESS. FAILURE TO COMPLY WITH THIS INSTRUCTION MAY RESULT IN AUTOMATIC DISQUALIFICATION OF YOUR BID. THE DATE DUE AND THE VENDOR ID NUMBER IS OPTIONAL INFORMATION.
4. THE BID, IN THE PROPERLY LABELED ENVELOPE, MUST BE RECEIVED IN ACQUISITION SERVICES NOT LATER THAN 3:00 PM ON THE DUE DATE INDICATED ON THE FACE OF THE ITB, UNLESS OTHERWISE SPECIFIED ELSEWHERE IN THE ITB.
5. THE BID MAY BE SUBMITTED AS DESCRIBED IN A, B, OR C BELOW:
  - A. THE BID MAY BE DELIVERED TO ACQUISITION SERVICES, 2ND FLOOR, STEVENS T. MASON BUILDING.
  - B. BY U.S. MAIL TO: STATE OF MICHIGAN  
DEPARTMENT OF MANAGEMENT AND BUDGET  
ACQUISITION SERVICES  
P.O. BOX 30152  
LANSING, MICHIGAN 48909
  - C. BY COURIER TO: STATE OF MICHIGAN  
DEPARTMENT OF MANAGEMENT AND BUDGET  
ACQUISITION SERVICES  
530 WEST ALLEGAN STREET

STATE OF MICHIGAN  
INVITATION TO BID

FORM DMB  
285 (Rev 7/94)  
PAGE : 10

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VENDOR NAME :

BID NUMBER :  
071I5200140  
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MASON BUILDING, 2ND FLOOR  
LANSING, MICHIGAN 48933

--- END OF DOCUMENT ---

STATE OF MICHIGAN  
INVITATION TO BID  
BID ADDENDUM NO 01

FORM DMB  
285 (Rev 7/94)  
PAGE : 1

RETURN BID TO :  
DMB - ACQUISITION SERVICES  
P O BOX 30152  
LANSING

, MI, 48909 .

SEALED BID  
DUE : 03/01/05 04:00 PM

DATE ISSUED: 02/08/05  
BID NUMBER: 071I5200140

CONTACT: IRENE PENA  
517 241-1647 EXT:

REQUESTING DEPARTMENT/AGENCY:  
DMB-OOP-TECHNICAL ACQUISITION DIV

VENDOR ID : /

VENDOR PHONE :

THE UNDERSIGNED CERTIFIES THAT HE/SHE OFFERS  
TO FURNISH MATERIALS AND/OR SERVICE IN STRICT  
ACCORDANCE WITH THE REQUIREMENTS OF THE BID  
INCLUDING INSTRUCTIONS AND CONDITIONS; THAT  
PRICES QUOTED ARE CORRECT; AND THIS BID MAY  
NOT BE WITHDRAWN FOR A PERIOD OF 90 DAYS  
FROM THE DUE DATE NOTED ABOVE.

CASH DISC \_\_\_\_\_ 30 DAYS

SHIPMENT \_\_\_\_\_ DAYS ARO

F.O.B. \_\_\_\_\_

SHIP PT. \_\_\_\_\_

EST. SHIP WT. \_\_\_\_\_

TOTAL BID \$ \_\_\_\_\_

X \_\_\_\_\_  
SIGNATURE [IN INK] DATE

NAME [PRINT OR TYPE]

ADDITIONAL REQUIREMENTS :

--- END OF DOCUMENT ---